

## PUBLIC SAFETY DEPARTMENT[661]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code Supplement section 103.6, the Electrical Examining Board hereby gives Notice of Intended Action to adopt new Chapter 550, "Electrical Inspection Program—Organization and Administration," Chapter 551, "Electrical Inspection Program—Definitions," Chapter 552, "Electrical Inspection Program—Permits and Inspections," Chapter 553, "Civil Penalties," and Chapter 559, "Electrical Inspection Program—Utility Notifications and Responsibilities of Utilities," Iowa Administrative Code.

During the 2007 session of the Iowa General Assembly, House File 897, now 2007 Iowa Acts, chapter 197, was enacted. This Act created the state's new electrician licensing program, which took effect on January 1, 2008, and a state electrical inspection program, which will become effective January 1, 2009. The rules proposed herein would establish procedures and requirements for the electrical inspection program.

A public hearing on these proposed amendments will be held on October 16, 2008, at 10:15 a.m. in the First Floor Public Conference Room (Room 125), State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319. Persons may present their views orally or in writing at the public hearings. Persons who wish to make oral presentations at the public hearing should contact the Agency Rules Administrator, Iowa Department of Public Safety, Wallace State Office Building, Des Moines, Iowa 50319, by mail; by telephone at (515)725-6185; or by electronic mail to [admrule@dps.state.ia.us](mailto:admrule@dps.state.ia.us), at least one day prior to the public hearing.

Any written comments or information regarding these proposed amendments may be directed to the Agency Rules Administrator by mail or electronic mail at the addresses indicated by 4:30 p.m. on October 16, 2008, or submitted at the public hearing. Persons who wish to convey their views orally other than at the public hearing may contact the Agency Rules Administrator by telephone or in person at the Department office at least one day prior to the public hearing.

These amendments are intended to implement 2007 Iowa Acts, chapter 197.

The following amendments are proposed.

ITEM 1. Adopt the following **new** 661—Chapter 550:

#### CHAPTER 550

#### ELECTRICAL INSPECTION PROGRAM—ORGANIZATION AND ADMINISTRATION

**661—550.1(103) Electrical inspection program.** The electrical inspection program is created as a section within the building code bureau in the fire marshal division of the department of public safety. The program is under the general supervision of the state fire marshal and the direct supervision of the building code commissioner, and shall be headed by a chief electrical inspector. The program shall enforce requirements for electrical installations adopted by the electrical examining board in 661—Chapter 504.

**661—550.2(103) Communications.** The electrical inspection program may be contacted by telephone at [insert telephone number at time of adoption] or by U.S. mail or in person at the following address:

State of Iowa Electrical Inspection Program  
Fire Marshal Division  
Iowa Department of Public Safety

Wallace State Office Building  
502 East 9th Street  
Des Moines, Iowa 50319

NOTE: The Web site of the electrical inspection program, as of [insert filing date of adopted rules], is [www.dps.state.ia.us/fm/electrical/inspection/](http://www.dps.state.ia.us/fm/electrical/inspection/).

**661—550.3(103) Organization.** The electrical inspection section shall be headed by a chief electrical inspector. Reporting directly to the chief electrical inspector shall be electrical inspector supervisors, each of whom shall head a unit which shall include a number of electrical inspectors assigned by the building code commissioner and the chief electrical inspector. Each unit supervisor may designate electrical inspectors as lead workers with the approval of the chief electrical inspector and consistent with any applicable rules of the department of administrative services.

**661—550.4(103) Qualifications of inspectors.** Electrical inspectors, electrical inspector supervisors, and the chief electrical inspector shall be certified as commercial and residential electrical inspectors no later than one year after starting employment in any of these positions. Certification shall be obtained from the International Association of Electrical Inspectors, P.O. Box 830848, Richardson, TX 75080-0848, as both a certified electrical inspector – residential and as a certified electrical inspector – master or from the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041, as both a residential electrical inspector and a commercial electrical inspector. Each of the persons employed in these classifications shall also meet any requirements established by the department of administrative services, human resource enterprise, for the job classification in which the person is employed.

**661—550.5(103) Fees.** The following fees shall apply to services provided by the electrical inspection program:

**550.5(1)** For each separate inspection of an installation, replacement, alteration, or repair, \$25.

**550.5(2)** For services, change of services, temporary services, additions, alterations, or repairs on either primary or secondary services as follows:

a. Zero to one hundred ampere capacity, \$25 plus \$5 per branch circuit or feeder.

b. One hundred one to two hundred ampere capacity, \$35 plus \$5 per branch circuit or feeder.

c. For each additional one hundred ampere capacity or fraction thereof, \$20 plus \$5 per branch circuit or feeder.

**550.5(3)** For field irrigation system inspections, \$60 for each unit inspected.

**550.5(4)** For the first reinspection required as a result of a correction order, \$50; a second reinspection required as a result of noncompliance with the same correction order, \$75; and subsequent reinspections associated with the same correction order, \$100 for each reinspection.

**550.5(5)** When an inspection is requested by an owner, the minimum fee shall be \$30 plus \$5 per branch circuit or feeder. The fee for fire and accident inspections shall be computed at the rate of \$47 per hour, and mileage and other expenses shall be reimbursed.

**550.5(6)** For installations requiring more than six months in the process of construction and in excess of \$300 total inspection fees, the persons responsible for the installation may, after a minimum filing fee of \$100, pay a prorated fee for each month and submit it with an order for payment initiated by the electrical inspector.

**550.5(7)** For issuance of a permit and performance of an initial inspection when an installation has been commenced with no Permit and Inspection Request form having been filed, twice the fees that would have been applicable if a timely request for permit and inspection had been filed.

These rules are intended to implement 2007 Iowa Acts, chapter 197.

ITEM 2. Adopt the following **new** 661—Chapter 551:

#### CHAPTER 551

#### ELECTRICAL INSPECTION PROGRAM—DEFINITIONS

**661—551.1(103) Applicability.** The definitions provided in this chapter apply to 661—Chapters 550 through 559, inclusive.

**661—551.2(103) Definitions.** The following definitions apply to the electrical inspection program:

*“Apprentice electrician”* means any person who, as such person’s principal occupation, is engaged in learning and assisting in the installation, alteration, and repair of electrical wiring, apparatus, and equipment as an employee of a person licensed under this chapter, and who is licensed by the board and is progressing toward completion of an apprenticeship training program registered by the Bureau of Apprenticeship and Training of the United States Department of Labor. For purposes of this chapter, persons who are not engaged in the installation, alteration, or repair of electrical wiring, apparatus, and equipment, either inside or outside buildings, shall not be considered apprentice electricians.

*“Board”* means the electrical examining board created under Iowa Code Supplement section 103.2.

*“Class A journeyman electrician”* means a person having the necessary qualifications, training, experience, and technical knowledge to wire for or install electrical wiring, apparatus, and equipment and to supervise apprentice electricians and who is licensed by the board.

*“Class A master electrician”* means a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of electrical wiring, apparatus, and equipment for light, heat, power, and other purposes and who is licensed by the board.

*“Class B journeyman electrician”* means a person having the necessary qualifications, training, experience, and technical knowledge to wire for or install electrical wiring, apparatus, and equipment and who meets and is subject to the requirements of Iowa Code Supplement section 103.12.

*“Class B master electrician”* means a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation of electrical wiring, apparatus, and equipment and who meets and is subject to the requirements of Iowa Code Supplement section 103.10.

*“Commercial installation”* means an installation intended for commerce, but does not include a residential installation.

*“Electrical contractor”* means a person affiliated with an electrical contracting firm or business who is licensed by the board as either a class A or class B master electrician and who is also registered with the state of Iowa as a contractor.

*“Industrial installation”* means an installation intended for use in the manufacture or processing of products involving systematic labor or habitual employment and includes installations in which agricultural or other products are habitually or customarily processed or stored for others, either by buying or reselling on a fee basis.

*“Inspector”* means a person certified as an electrical inspector upon such reasonable conditions as may be adopted by the board. The board may recognize more than one class of electrical inspectors.

*“New electrical installation”* means the installation of electrical wiring, apparatus, and equipment for light, heat, power, and other purposes.

*“Public use building or facility”* means any building or facility designated for public use, including all property owned and occupied or designated for use by the state of Iowa.

*“Residential installation”* means an installation intended for a single-family or two-family residential dwelling or a multifamily residential dwelling not larger than a four-family dwelling.

*“Routine maintenance”* means the repair or replacement of existing electrical apparatus or equipment of the same size and type for which no changes in wiring are made. “Routine maintenance” by itself does not require an electrical inspection.

*“Special electrician”* means a person having the necessary qualifications, training, and experience in wiring or installing special classes of electrical wiring, apparatus, equipment, or installations which shall include irrigation system wiring, disconnecting and reconnecting existing air conditioning and refrigeration, and sign installation, and who is licensed by the board.

*“Unclassified person”* means any person, other than an apprentice electrician or other person licensed under this chapter, who, as such person’s principal occupation, is engaged in learning and

assisting in the installation, alteration, and repair of electrical wiring, apparatus, and equipment as an employee of a person licensed under this chapter, and who is licensed by the board as an unclassified person. For purposes of this chapter, persons who are not engaged in the installation, alteration, or repair of electrical wiring, apparatus, and equipment, either inside or outside buildings, shall not be considered unclassified persons.

These rules are intended to implement 2007 Iowa Acts, chapter 197.

ITEM 3. Adopt the following **new** 661—Chapter 552:

#### CHAPTER 552

#### ELECTRICAL INSPECTION PROGRAM—PERMITS AND INSPECTIONS

**661—552.1(103) Required permits and inspections.** Permits and inspections are required for any of the following electrical installations:

1. All new electrical installations for commercial or industrial applications, including installations both inside and outside buildings, and for public-use buildings and facilities and any installation at the request of the owner.

2. All new electrical installations for residential applications in excess of single-family residential applications.

3. All new electrical installations for single-family residential applications requiring new electrical service equipment.

4. Any existing electrical installation observed during inspection which constitutes an electrical hazard. Existing installations shall not be deemed to constitute electrical hazards if the wiring was originally installed in accordance with the electrical code in force at the time of installation and has been maintained in that condition.

5. Installations of alarm systems or alarm system components as provided in 661—Chapter 560.

EXCEPTION 1: Installations in political subdivisions which perform electrical inspections and which are inspected by the political subdivision are not required to be inspected by the state electrical inspection program. Any installation which is subject to inspection and is on property owned by the state or an agency of the state shall be inspected by the state electrical inspection program.

EXCEPTION 2: Any electrical work which is limited to routine maintenance shall not require an inspection.

**661—552.2(103) Request for inspection.** Prior to commencement of any electrical installation, the person making such installation shall notify the electrical inspection section of the installation by applying for a permit and shall request an inspection of the installation through one of the following methods:

**552.2(1)** An inspection may be requested by completing and electronically submitting a Request for Permit form, available on the Web site of the electrical inspection program. Payment of the permit and inspection fees shall be submitted with the form in accordance with the instructions on the electrical inspection section Web site.

NOTE: The Web site to obtain, complete, and submit a Request for Permit form is, as of [insert filing date of adopted rules]: [insert Web site address at time of adoption].

**552.2(2)** An inspection may be requested by completing a Request for Inspection form and mailing it to the electrical inspection section as provided in rule 661—550.2(103). The Request for Inspection form may be obtained upon request to the electrical inspection section or from the Web site of the electrical inspection program. If a Request for Inspection is submitted by mail, it shall be postmarked no less than seven days prior to the commencement of the installation.

**552.2(3)** An inspection may be requested by completing a Request for Inspection form and submitting it by fax transmission to the electrical inspection section at [insert fax number at time of adoption]. The Request for Inspection form may be obtained upon request to the electrical inspection section or from the Web site of the electrical inspection program.

**661—552.3(103) Scheduling of inspections.** Subject to the availability of electrical inspectors, the electrical inspector whose territory includes the location of a requested inspection shall schedule the requested inspection to be completed within three business days of the receipt of the request. If an inspection for which a timely request has been made is not completed within three business days of the completion of the installation, a licensee who completed the installation may energize any new circuits included in the installation, although the installation remains subject to condemnation and disconnection if found to be out of compliance with any applicable provision of 661—Chapter 504 when inspected.

**661—552.4(103) Report of inspection.** After the completion of an inspection, the inspector shall issue an inspection report on a form prescribed by the board. The report shall indicate the results of the inspection, which may be any of the following:

**552.4(1) Approval.** If the inspector finds that the installation is in compliance with applicable requirements, the inspector shall issue a report indicating that the installation is approved.

**552.4(2) Order of correction.** If the inspector finds that the installation is not in compliance with applicable requirements but does not present an imminent threat to the health or safety of any person, the inspector shall issue an order of correction, prescribing a time frame during which corrective action shall be taken by the licensee responsible for the installation to bring the installation fully into compliance.

**552.4(3) Order of disconnection.** If the inspector finds that the installation is not in compliance with applicable requirements and presents an imminent threat to the health or safety of any person, the inspector shall issue an order of disconnection, requiring that the installation be disconnected until corrective action has been taken which brings the installation into full compliance with applicable requirements. The installation shall not be reconnected until corrective action has been completed and the corrected installation has been approved by an inspector as in compliance with all applicable requirements. The inspector issuing an order of disconnection shall notify the utility providing electrical service to the location of the order and shall notify the utility when the order of disconnection is no longer effective.

**661—552.5(103) Appeals.** An order of correction or an order of disconnection may be appealed. However, an order of disconnection shall be complied with immediately, and the installation shall not be reconnected pending the outcome of the appeal.

**552.5(1)** A person who has received an order of correction or disconnection may request an informal appeal to the chief electrical inspector within 14 days of receiving the order by contacting the electrical inspection section by telephone, fax, E-mail, or mail. The informal appeal may be heard in any manner agreed to by the person filing the appeal and the chief electrical inspector. If the order is upheld by the chief electrical inspector, the person receiving the order may file a formal appeal pursuant to subrule 552.5(2).

**552.5(2)** A person who has received an order of correction or disconnection may file a request for a formal appeal to the board within 30 days of receiving the order or, if the person has filed a request for an informal appeal, within 30 days of having been notified that the chief electrical inspector has upheld the order. Formal appeals shall be processed as provided in 661—Chapter 10, except that wherever “commissioner” or “department of public safety” appears in those rules, “electrical examining board” shall be substituted.

These rules are intended to implement 2007 Iowa Acts, chapter 197.

ITEM 4. Adopt the following new 661—Chapter 553:

CHAPTER 553  
CIVIL PENALTIES

**661—553.1(103) Civil penalty—when applicable.** Any person who commences an electrical installation subject to inspection pursuant to 2007 Iowa Acts, chapter 197, and who fails to file a Request for Permit and Inspection form with the board within 14 days of commencing work on the

electrical installation may be subject to a civil penalty. The amount of the civil penalty shall be no more than \$750 and shall be determined by the chief electrical inspector.

**661—553.2(103) Civil penalty—notice.** Notice shall be provided by certified mail to any person on whom a civil penalty is imposed.

**661—553.3(103) Civil penalty—appeal.** Any person on whom a civil penalty has been imposed may appeal the imposition of the civil penalty to the board within 14 days of the date on which notice of the civil penalty was mailed by notifying the board in writing that the person wishes to appeal the civil penalty. An appeal of a civil penalty shall be subject to the provisions of 661—Chapter 10 which apply to contested cases, except that wherever “commissioner” or “department” appears, “electrical examining board” shall be substituted.

These rules are intended to implement 2007 Iowa Acts, chapter 197.

ITEM 5. Reserve **661—Chapter 554** to **661—Chapter 558**.

ITEM 6. Adopt the following new 661—Chapter 559:

#### CHAPTER 559

#### ELECTRICAL INSPECTION PROGRAM—UTILITY NOTIFICATIONS AND RESPONSIBILITIES OF UTILITIES

**661—559.1(103) Notification of utility.** Upon the completion of an inspection report which approves an installation, if the installation involves new electrical service, the inspector shall provide notice of the action to the utility which provides electrical service to the location of the installation.

This rule is intended to implement 2007 Iowa Acts, chapter 197.